

REMARKS

Claims 1, 4-30 and 33-55 are pending. Claims 1, 4-30 and 33-55 stand rejected. Claim 1 is amended. No new matter has been added. In the Office Action, the Office addressed the claims as follows: claims 1, 6-22, 24-30, 33-37, 40-51 and 53-55 are rejected pursuant to 35 USC §102(e) as being anticipated by US Patent No. 5,485,370 to Moss *et al.* ("Moss"); claims 4, 5, 23, 38, 39 and 52 are rejected under 35 USC §103(a) as being unpatentable over Moss. In view of the remarks presented herein, the undersigned respectfully traverses these rejections as set forth below.

Rejection of Claims 1, 6-22, 24-30, 33-37, 40-51 and 53-55 Under 35 USC §102(e)

The Office Action asserts that claims 1, 6-22, 24-30, 33-37, 40-51 and 53-55 are anticipated by Moss.

"Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration."¹ Consequently, there is no anticipation if the reference fails to disclose a specific element of the claimed invention.

Amended independent **claim 1** recites the following:

1. A method for providing remote access to financial services comprising the steps of:
 - a) providing at least one business host;
 - b) selectively electronically linking a server to the business host;
 - c) selectively electronically linking at least one automated teller machine (ATM) and at least one home banking terminal to the server; and
 - d) based on the electronic linking, displaying a first user interface on a screen of the ATM and displaying a second user interface on a screen of the home banking terminal, wherein the first user interface and the second user interface are substantially the same.

Claim 1 is rejected because:

¹ W.L. Gore & Assocs. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

Selectively electronically linking (As discussed above, reference teaches selective electronic connectivity or linking) at least one automated teller machine (ATM) and at least one home banking terminal to the server (Col. 29, lines 55-62, wherein cited “banking customer sending to and gathering information from the hosts {20a, 20b, Fig. 1} via ATM or telephone computer” indicating reference’s teaching “ATM” and the telephone computer functioning as “home banking terminal” and as depicted in Fig. 1, the telephone computer or home banking terminal is connected to above discussed host computer or server 8, col. 7, lines 4-5. Furthermore, support relative to reference’s teaching “ATM” is provided by: “The display screen’s left hand portion depicting simulated keypad of an ATM, Fig. 19, described col. 30, lines 39-42”)

Moss does not disclose “selectively electronically linking *at least one automated teller machine (ATM) and at least one home banking terminal to the server*” (emphasis added). For these elements the examiner cites col. 29, lines 55-62 in Moss, which recites “banking customer sending to and gathering information from the hosts via ATM or telephone computer.” The cited section discusses “transaction-oriented” messages that are transmitted between the host computer and the banking customer at *either* an ATM *or* telephone computer. Unlike the present claims, Moss does not require an ATM *and* a home banking terminal but rather discloses messages from an ATM or a telephone computer that are stored in a data dictionary. Therefore Moss does not require the linking of an ATM and a home banking terminal via a server, or any other means, as recited in claim 1 of the present application.

Although Fig. 1 does depict the home banking terminal 2 and a microcomputer 10 connected to the host computer 8, there is no ATM. Moss is clear that the two banking terminals depicted in Fig. 1 are functionally similar and *neither* element is intended to perform as an ATM. Moss does not require an ATM. Again, col. 29, lines 55-62 disclose messages that are stored in a data dictionary rather than using an ATM as recited in claim 1 of the present application.

The examiner cites Fig. 19 as described in col. 30, lines 39-42 as further support of the existence of an ATM. However, the referenced citation merely discusses a diagnostic display

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screen as opposed to the actual operation of an ATM as known to one having ordinary skill in the art. The fact that a software program may be “provided for testing” and “simulating hardware errors,” is not the same as actually performing the operations of the system being simulated with the testing program. Furthermore, the diagnostic screen that is referenced in the examiners rejection does not constitute “a first user interface on a screen of the ATM” and “a second user interface on a screen of the home banking terminal” where the user interface on the first and second terminals are “substantially the same” as required in claim 1 of the present application. Instead, the reference suggests a diagnostic screen shot of a “hardware device” *such as* an ATM that is displayed on a computer screen to an “applications programmer” during the software development process.

Moreover, the Office Action rejects claim 1 because:

Based on the electronic linking (As discussed above, connectivity or linking electronically occurring depending or based on the banking customer's or user's choosing or selecting to employ ATM or telephone computer or home banking terminal) displaying a first user interface on a screen of the ATM and displaying a second user interface on a screen of the home banking terminal, wherein the first user interface and the second user interface are substantially the same (Fig. 19 {left hand portion}, described col. 30, lines 39-42 and col. 8, lines 30-39, wherein cited “left hand portion in Fig. 19” depicting “display and 12-key keypad” representing “first interface on ATM screen” and “depicted prompts on display 2a {of telephone computer or home banking terminal} such as user's last response, information sought and list of prompts indicating choices available to the user by pressing single buttons on the keypad” indicating reference's teaching “second interface” which comprising “ a display and 12-key keypad, Fig. 1 {2a}, described col. 4, lines 7-15 recited with col. 13, lines 39-43. Moreover, the depiction and description of the two interfaces indicating reference's teaching “first and second interfaces are closely or substantially similar or same”).

Similarly to the arguments presented above, Moss does not disclose the use of an ATM and therefore, does not disclose the use of a “first user interface.” Further, the specific lines cited

by the examiner refer to a method of entering information as opposed to the actual information and format displayed on the display screen.

As previously discussed, the examiner's reference to Fig. 19, as described by col. 30, lines 39-42, does not describe an actual ATM or the associated user display that would be visible on the screen of an ATM. Instead, it illustrates a "typical hardware simulation screen" wherein the operation of "various hardware devices" may be monitored. The depiction of the hardware of the ATM for the purpose of illustrating the simulation program is not the same as the graphic interface displayed to a user when a ATM is actually in operation. Moss does not describe an ATM or the graphic user interface that is displayed to a user using an ATM. Further, while col. 8, lines 30-39 describe examples of prompts that may be displayed on the screen of the telephone home banking terminal, the display format of examples on the screen of the home banking terminal are not "substantially the same" as the user interface displayed on an ATM.

Additionally, the examiner cites Fig. 1 described in col. 4, lines 7-15 and col. 13, lines 39-43 to support the claim that Moss discloses a "second user interface" that is physically the same as an ATM ("first user interface"). However, the lines cited by the examiner do not read on the claim of this invention. The Office Action claims the existence of the "12-key keypad" for entering responses to the system from the home banking terminal, the "second user interface," to be "substantially the same" as the keypad used for entering responses at an ATM. However, the presence and use of an ATM is not disclosed in Moss. As previously discussed, Moss does not disclose an ATM as a "first user interface."

Since Moss does not disclose each and every element of claim 1 then claim should be allowed.

In rejecting independent claim 6 the Office Action asserts:

[P]roviding an automated teller machine (ATM) having a first user interface for display on a screen of the ATM (col. 29, lines 55-62 and Fig. 19, described col. 30, lines 39-49, wherein “user at ATM or telephone computer sending and gathering information from the hosts, above discussed 20a-20d” indicating reference’s “provisioning or providing and ATM” and cited “upper left hand portion of the screen, Fig. 19, depicting a display and 12-key keypad” pointing to reference’s teaching the ATM having “interface or first user interface on ATM” and “displaying simulation screen of Fig. 19 to programmer” indicating reference’s provisioning functionality for “displaying” of the interface on a “screen including ATM screen”)

As previously presented in the response to the rejection of claim 1, Moss does not claim “an ATM having a first user interface for display on a screen of the ATM.” Since each element of the independent claim 6 is not disclosed by Moss, Moss does not anticipate the claim.

The Office Action makes similar rejections in regards to claim 30 that were made in claim 1. Therefore, the arguments that were previously set forth in response to claim 1 are also applicable to the rejection in this claim.

As previously stated, although the reference describes a home banking terminal, it fails to illustrate the presence of a separate “ATM.” The absence of distinct terminals, each having a “user interface,” precludes this claim since this claim requires an “ATM” having a “first user interface” and the “home banking terminal” having a “second user interface” where the user interfaces are “substantially the same.”

As similarly stated with regards to independent claims 1, 6, and 30, Moss fails to disclose the existence of the ATM as claimed. As such, a viable case for Moss anticipating these claims can not be made.

For at least these reasons, independent claims 1, 6, 30, and 33, as well as dependent claims 7-22, 24-29, 34-37, 40-51, and 53-55, respectively, are patentable over Moss.

Accordingly, it is respectfully requested that the rejection of these claims be reconsidered and withdrawn.

Rejection of Claims 4, 5, 23, 38, 39 and 52 Under 35 USC 103(a)

A rejection under 35 USC §103 for obviousness requires: some suggestion or motivation to modify a reference or to combine reference teachings; a reasonable expectation of success; and the prior art reference must teach or suggest all the claim limitations.

The Office Action fails to show a suggestion to modify Moss in such a way that Moss teaches every element of the claims making them unpatentable.

Independent **claim 4** recites the following:

4. A method for allowing a plurality of users to remotely access the financial services of at least one service provider comprising the steps of:
- e) installing user software on a plurality of remote terminals available to all users wishing to access the financial services, the plurality of remote terminals including a first terminal and a second terminal, wherein the second terminal is of a different type than the first terminal;
 - f) configuring the user software to reflect each user's preferences;
 - g) providing a uniform connection between the remote terminals to a standard international host, the uniform connection including a uniform user interface on screens of the first terminal and the second terminal;
 - h) providing a plurality of business applications resident on the standard international host, in which the configuration of each of the applications is controlled at the standard international host;
 - i) linking the standard international host to the service provider;
 - j) providing secure communication between the user, the standard international host and the service provider;
 - k) providing enhanced error detection and correction for communications between the user, the standard international host and the service provider; and
 - l) providing data compression for communications between the user, the standard international host and the service provider.

Claim 4 is rejected because:

Installing user software on a plurality of remote terminals available to all users wishing to access the financial services, the plurality of remote terminals including a first terminal and a second terminal, wherein the second terminal is of a different type than the first terminal (Col. 8, lines 8-28 read with col. 20, lines 50-55, wherein cited “network host 8 supplying to user terminals 2 and network computer, Fig. 10{60}, downloading to microcomputer 19 pages of HAL application software, which enabling users to responding to prompts” indicating reference’s teaching “supplying or downloading or installing user software to terminals 2 and minicomputers 19”, the software enabling users accessing business providers 20a-20d for “obtaining information and performing financial services, col. 1, lines 43-49”, and the telephone terminal 2, representing “first terminal”, the minicomputer 19, representing “second terminal” and “the two [the two] are different” as per depiction in Fig. 1 {1, 10}, col. 7, lines 10-14 and same depicted as 1 and 19, Fig. 10, col. 18, lines 23-29. Moreover cited “each user provided with telephone computer 1 and terminal or PC terminal 19, col. 18, lines 21-29” indicating reference’s “provisioning or availability or the terminals to each or all users”

Moss does not teach or suggest “plurality of remote terminals..., wherein the second terminal is of a different type than the first terminal.” The examiner refers to Fig. 1 and Fig. 10 as illustrating multiple terminals. Specifically referring to Fig. 10, the examiner describes the telephone terminal 1 as the “first terminal” and the minicomputer 19, as the “second terminal.” The “first terminal” and “second terminal,” as identified by the examiner, do appear distinct in the figure, however, col. 18, lines 23-29 suggest that the “telephone-computer” and the PC terminal are “equivalent.” In fact, col. 18, lines 28-30 state, “[h]ereafter, the term “terminal” shall mean the telephone-computer 1 *or* a PC terminal.” Further, in addition to disclosing the functional equivalence between the two terminals, the reference citation also implies that the presence of two distinct terminals is not essential to the operation of the system, so long as *either* the telephone-computer terminal *or* the PC terminal is present for the user to access. Since the reference does not necessarily *require* the presence of two remote user terminals, the plurality of remote terminals as claimed, is not taught by this reference. Furthermore, without the existence of multiple terminals, there can not be “different types” as claimed in the present application.

While the reference does discuss the use of HAL application software to “personalize” the user terminal, col. 8, lines 10-15, the reference fails to teach or suggest installing software on a “first terminal” and a “second terminal,” where the terminals are of different types (see discussion above). Additionally, Moss fails to make a suggestion that such a modification would be obvious. Therefore, for at least these reasons, the present claims are not obvious in view of Moss.

Additionally, claim 4 provides for “a uniform connection between the remote terminals to a standard international host.” The Office Action asserts that Moss teaches providing the uniform connection between the remote terminals. However, Moss requires that the computers communicate through a “variety of protocols.” This is unlike the present claim where a variety of protocols is not required since the connections between the different remote terminals are uniform. Since Moss does not teach or suggest a single, uniform connection for all remote terminal, Moss does not render this claim obvious.

Claim 5, 23, 38, 39 and 52 are all dependent on allowable independent claims. Therefore, for at least the reasons set forth above, these claims are also patentable over Moss. Accordingly, it is respectfully requested that the rejection of claims 4, 5, 23, 38, 39 and 52 Under 35 USC 103(a) be reconsidered and withdrawn.

CONCLUSION

The foregoing is submitted as a full and complete Response to the Non-final Office Action mailed April 6, 2005, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or if there are any other issues which may be resolved by telephone interview, a telephone call to the undersigned attorney at (202)508-5843 is respectfully solicited.

Please charge any shortage in fees due in connection with the filling of this paper, including extension of time fees, to Deposit Account 50-1458, and please credit any excess fees to such deposit account.

Respectfully submitted,

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